

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
-vs-) Case No. 18 CR 105
ADAM SPRENGER,) Chicago, Illinois
Defendant.) August 29, 2019
) 2:00 p.m.

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JOHN J. THARP, JR.

APPEARANCES:

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1 (Proceedings heard in open court:)

2 THE CLERK: U.S.A. v. Adam Sprenger, 18 CR 105.

3 MS. GREENING: Good afternoon, Your Honor. Kelly
4 Greening on behalf of the United States.

5 MR. BRANDSTRADER: Good afternoon, Judge Tharp.

6 Thomas Brandstrader and Andrew Gable, G-a-b-l-e, for
7 Mr. Sprenger.

8 THE COURT: Good afternoon.

9 Good afternoon, Mr. Sprenger.

10 THE DEFENDANT: Good morning.

11 PROBATION OFFICER: Good afternoon, Judge. Michael
12 Alper, U.S. Probation.

13 THE COURT: Good afternoon.

14 Are we prepared to proceed with sentencing?

15 MR. BRANDSTRADER: Yes, Your Honor.

16 MS. GREENING: Yes, Judge.

17 THE COURT: Ms. Rone, would you please swear in
18 Mr. Sprenger.

19 THE CLERK: Yes.

20 (Defendant sworn.)

21 THE COURT: All right. The first thing I want to do
22 is make sure I've seen everything that's been submitted.

23 I, of course, reviewed the plea agreement, the
24 presentence investigation report along with a supplemental and
25 second supplemental report, the probation office's sentencing

1 recommendation, the government's version of the offense and
2 supplemental version of the offense, the government's
3 sentencing memorandum, a separate submission that included
4 video clips and several photographs that were submitted by the
5 government that are referenced in the materials but not
6 previously included. I just received those yesterday
7 afternoon.

8 And I have received, of course, and reviewed the
9 defendant's sentencing memorandum which includes, along with
10 various argument, a psychosexual risk evaluation and
11 approximately a dozen mitigation letters submitted by
12 Mr. Sprenger's family and friends.

13 Is there anything else I'm missing?

14 MS. GREENING: I believe this might be included in
15 the categories you just listed, Your Honor, but the two victim
16 impact letters from the parents of both Victim C and F and the
17 parents of Victim E.

18 THE COURT: Yes, I think those are included in the
19 supplemental material provided by probation.

20 MS. GREENING: Okay.

21 THE COURT: Anything else?

22 MR. BRANDSTRADER: I think you named everything,
23 Judge.

24 THE COURT: Okay.

25 Is either party anticipating presenting any witness

1 testimony?

2 MS. GREENING: No witnesses, Your Honor. I do have
3 one victim who would like to testify to the Court today.

4 THE COURT: Okay.

5 MS. GREENING: Make a statement, rather.

6 THE COURT: All right. We'll address that in just a
7 moment.

8 I want to start with the PSR. There were I think
9 several issues the defense counsel had with certain paragraphs
10 in the PSR. With respect to all of them, it wasn't entirely
11 clear to me what -- whether you were seeking some correction
12 to the PSR or just to clarify things for my edification.

13 MR. BRANDSTRADER: It was more of a clarification,
14 Judge.

15 THE COURT: Okay. All right. So are there any
16 statements of fact included in the PSR that you're objecting
17 to?

18 MR. BRANDSTRADER: No, Judge.

19 THE COURT: Okay. Then we'll move to the question of
20 the calculation of the advisory sentencing guideline range
21 that applies in this case which is the point that the
22 Supreme Court has said all district courts should begin
23 sentencing proceedings by correctly calculating the applicable
24 guideline range.

25 Having reviewed the submissions, it's my

1 understanding, while the defense believes various aspects of
2 the guideline calculation are weighted too heavily or impact
3 the guideline range disproportionately or in a compounded
4 fashion, you're not challenging the accuracy of the
5 calculation itself?

6 MR. BRANDSTRADER: We are not, Your Honor.

7 THE COURT: All right.

8 And the government does not challenge the calculation
9 either?

10 MS. GREENING: That's correct.

11 THE COURT: All right. I ordered the preparation of
12 a presentence investigation report to assist the Court in
13 sentencing the defendant. The presentence investigation
14 report reflect a preliminary guideline calculation with a
15 total offense level of 43 and a criminal history category of
16 I.

17 I'll just note this much for clarity of the record.
18 The 43 is the maximum offense level that can be utilized under
19 the guideline. If you actually do the math, the guideline
20 calculation comes out to 45, but pursuant to comment 2 of
21 Section 5.8, 43 is the maximum offense level.

22 So the PSR reflects a total offense level of 43 and a
23 criminal history category of I. I concur with those
24 calculations as set forth in the PSR. They're quite
25 complicated, so I'm not going to go through them and reiterate

1 them on the record, but I accept the presentation, and there's
2 been no objection to the presentation set forth in the PSR.

3 The combination of offense level of 43 and a criminal
4 history score of I yields an advisory sentencing guideline
5 range of 50 years of imprisonment, a supervised release range
6 of at least five years, up to life, a fine range of 50,000 up
7 to \$250,000 along with required restitution.

8 Is there anything else we need to cover or discuss
9 with respect to the guideline calculation itself?

10 MS. GREENING: No, Your Honor.

11 MR. BRANDSTRADER: No, Judge.

12 THE COURT: All right. Then we'll proceed to
13 consider all of the other factors in addition to the advisory
14 guideline range that the Court is required to take into
15 account in determining the appropriate sentence to impose.

16 I'll hear first from the government, then from the
17 defense.

18 And, Mr. Sprenger, once your counsel has had the
19 opportunity to make his comments on your behalf, as the
20 defendant in the case, you have the right to address the Court
21 directly if you wish to do so. You're not required to do so,
22 but you will have that opportunity. If you choose not to
23 address the Court, that will not be held against you in any
24 way.

25 All right. Ms. Greening, why don't we hear first

1 from the victim, and then we'll have your comments and
2 arguments.

3 MS. GREENING: Thank you, Your Honor.

4 So I would like to call up Individual A. If it
5 pleases the Court, I would like to continue to refer to her
6 that way to protect her children's identities.

7 MR. BRANDSTRADER: May I sit down, Judge?

8 THE COURT: Yes, you may.

9 MR. BRANDSTRADER: We have no objection to that,
10 Your Honor.

11 MS. GREENING: She's the parent of Victims A and B.

12 THE COURT: Yes, ma'am.

13 Good afternoon, ma'am.

14 THE WITNESS: Good afternoon, Your Honor. I will try
15 to get through this as easily and quickly as possible.

16 THE COURT: Let me ask you just to pull that down a
17 little. Thank you.

18 THE WITNESS: Is that better?

19 THE COURT: That's better.

20 THE WITNESS: Okay.

21 On Valentine's Day 2018, my entire world was forever
22 changed. My views on life, definition of love and ability to
23 trust was taken from me and my family. I'm a mother of four
24 and of Victims A and B. They are my daughters. It is not
25 important for me to share how I am feeling now. It's more

1 important for you all to hear how I felt then. In my first
2 entry, I state just a few of the many emotions that were going
3 through me and my children's minds at that time and have
4 continued to evolve, and I'm going to just read that entry
5 real quick to you guys.

6 March 22, 2018. In so many ways I am not ready to do
7 this, to write and feel, but in so many more, I know I must
8 face this. If I'm ever to heal and move forward, I am at a
9 crossroads, almost paralyzed by what has happened these past
10 five weeks: abandoned, betrayed, hurt, shocked, angry, lost,
11 numb, unable to fully comprehend the awful truth which keep
12 expanding further and further into my life and those around
13 me, the ones that I love and couldn't protect, lost,
14 heartbreak, isolation, anxiety, fear, the unknown of what he
15 did and what will be the pain for myself and my children and
16 everyone allowed to be affected by him; pain, unable to sleep,
17 hatred mixed with missing what I thought was love and hating
18 myself for letting him in my life to begin with. This person
19 preyed on my family, making calculated moves, gaining my trust
20 and using love to manipulate me for his own dark and
21 unimaginable needs. He used my children and exploited them,
22 and it did not stop there. Other family members of mine were
23 targeted, my children's friends, my neighbor's daughters and
24 on and on and on.

25 Since that Valentine's Day I have had to leave my job

1 as an ICU nurse and go on short-term disability due to a new
2 diagnosis of PTSD related to these events. I have an
3 inability to function and at times to even leave the house.

4 My children and I have spent the last 18 months in
5 weekly therapy, sometimes twice a week, costing over \$20,000
6 for those visits and continuing to grow as therapy is going to
7 be something we are needing for most likely the rest of our
8 lives. So many questions that I may know answers to they do
9 not yet. One of my daughters is now over 18. She has the
10 ability to go look at any of this information and access it
11 for the rest of her life, and I can't protect her from that.
12 And I know that my other daughter who is now 15 will also have
13 that right. So as difficult as it was to hear, I chose to
14 hear the details so that I could someday address that with
15 them and also the therapist. For now, whether right or wrong,
16 I find some comfort in knowing that they don't know the
17 details because once you learn them, you cannot unhear them,
18 and you can never forget.

19 Sorry.

20 THE COURT: Take your time.

21 THE WITNESS: My kids have been struggling. They
22 started struggling in school when they prior had not. There
23 were some days we just could not get out of the house. It was
24 too difficult for us to face the world or other people,
25 causing them to miss many days of school and then get them

1 further behind. And while scars never truly go away, today
2 does mark the beginning of a healing process.

3 I would like to close with a quote from a song, as
4 music has always been a means of being healing and expressing
5 emotions. Okay.

6 All your life is such a shame, shame, shame. Are you
7 happy where you're sleeping? Casting shadows on the winter
8 sky as you stood there counting crows, one for sorrow, two for
9 joy, three for girls, and four for boys, five for silver, six
10 for gold, seven for a secret that was never told until now.
11 All your life is such a shame. Open up your eyes, you can see
12 the flames of your wasted life. You should be ashamed, and
13 I'm not going to waste my life.

14 Thank you.

15 THE COURT: Thank you very much, ma'am.

16 MS. GREENING: Your Honor, the defendant in this case
17 is a predator whose conduct has harmed the youngest and most
18 vulnerable members of our community. He produced images and
19 videos depicting himself masturbating on and around and
20 molesting children in his own home and in others. He
21 distributed these videos to other men like him over the
22 Internet, ensuring that they will live on and on to continue
23 to humiliate and cause pain to these victims. And he
24 possessed over 1300 other images on various devices that
25 depict child pornography, including the anal, vaginal and oral

1 rape of children as young as toddlers. These are real
2 children whose real trauma and suffering continues even once
3 the assault is over at the hands of men like the defendant who
4 trade in this kind of material for fun.

5 Based on this conduct, Your Honor, the government is
6 asking for a sentence of 50 years' imprisonment, which is the
7 guideline range. It's a significant sentence, but it's
8 warranted and necessary in light of the 3553(a) factors.

9 First turning to the nature and circumstances of the
10 defendant's offense. The horrifying nature of the defendant's
11 conduct weighs heavily in favor of this guideline sentence.
12 The defendant exploited these young girls who trusted them --
13 him in their own homes as they slept. He molested,
14 masturbated on and around these girls. He turned their safest
15 place into a nightmare.

16 And as you just heard the effects of some -- on some
17 of these victims is not even yet realized because their
18 parents haven't shared with them what fully went on. But the
19 mother of one victim wrote a powerful statement detailing how
20 her daughter and their family has suffered the defendant 's
21 actions. Victim D is Individual A's niece. She's an 8 year
22 old who was left in the care of the defendant for an
23 afternoon. The defendant videoed himself masturbating openly
24 in front of this victim while she was fully awake.

25 Victim D's mother detailed how her daughter's grades

1 and test scores have dropped. Her participation in sports
2 have dropped. She's afraid of being alone. She's changed the
3 way she dressed. She's embarrassed to be a girl. She's
4 developed social anxiety. She's cried to her parents that
5 her, quote, brain keeps telling me to be sad. She's in
6 biweekly therapy to address these issues.

7 Her parents too are suffering greatly. Her mother
8 describes being torn apart, having heightened anxiety and pain
9 watching her child suffer. She said that Victim D's, quote,
10 first sexual experience was decided for her by Adam against
11 her will, and when she didn't possess the purview of what sex
12 should be, Adam took that experience from her. The
13 defendant's crimes against her child and others revealed to
14 her, that, quote, the person I trusted to protect my child was
15 the one victimizing her. This is a recurring theme in this
16 case for the defendant.

17 Similarly, Victim C and Victim F's father wrote a
18 powerful statement to this Court stating that people like the
19 defendant are, quote, every parent's worst nightmare, and his
20 actions will affect them for the rest of their lives.

21 Your Honor, there's significant evidence to
22 substantiate that the defendant actually drugged at least one
23 of his victims, 13-year-old Victim B, before making his video.
24 As discussed in filings and shown in government's version
25 Exhibit A, the defendant sent another man pictures of himself

1 mixing a white powder substance into a cup with liquid and
2 then mixing it into the liquid. He told the man he was
3 slipping some sleepy stuff into Victim B. Later he said, What
4 the hell? She's still wide awake.

5 The video he took of Victim B included him molesting
6 her as she slept. He fondled her vagina and her buttocks on
7 camera, and Victim D did not move.

8 THE COURT: Ms. Greening, let me interrupt you right
9 there. I want to be clear as to the government's position
10 with respect to this question of whether the defendant did
11 drug, supply some sort of drug that put the victims to sleep.
12 Is that the government's position?

13 MS. GREENING: It's the government's position that
14 the evidence supports that inference, yes, Your Honor.

15 THE COURT: All right.

16 MS. GREENING: Now, the defendant states that while
17 disturbing, the defendant's conduct, quote, did not involve
18 touching under the clothing or any other acts more typically
19 associated with contact offenses.

20 But let's be clear. This was a sexual assault. The
21 defendant assaulted Victim B and videotaped it. The fact that
22 he did not assault her to the furthest extent possible is not
23 a mitigating factor.

24 On top of these videos that he produced, the
25 defendant also possessed over 1300 images and videos depicting

1 child pornography, a very limited portion of which was
2 supplied to this Court ahead of sentencing. He collected
3 these images and videos of children being sexually abused in
4 the cruellest and most sickening ways possible, and he did it
5 for his own pleasure. And, again, the powerful victim impact
6 statements from the identified children were depicted in these
7 images and videos. They were ages 4 through 12 at the time of
8 their abuse, describe the pain that they experience every time
9 they learn a new person had been looking at their most
10 tortured moments for fun. They describe living in fear that
11 someone on the street will recognize them. The message must
12 be sent to all of these victims, those the defendant knew and
13 those that he didn't, that they matter, that society values
14 protecting them.

15 Now, turning to the defendant's history and
16 characteristics, the government does recognize in mitigation
17 that the defendant has strong family support. He also
18 reported to probation the history of abuse himself though the
19 defendant describes a cycle of abuse, victim to predator, and
20 that factor can weigh both ways because the cycle needs to be
21 stopped.

22 Moreover, an overall review of the defendant's
23 history and characteristics weighs heavily in favor of a
24 50-year sentence in this case. The record before the Court
25 depicts a defendant who preys on young girls and was obsessed

1 with doing so. He exclusively dated women with young
2 daughters. In Exhibit C to the government's version, he
3 describes two prior long-term relationships with women who had
4 young girls. And that wasn't an accident. Just before
5 sending a video of himself ejaculating on Victim B to an
6 undercover officer, the defendant said, quote, I only date
7 women with beautiful girls, or if they're ultra petite.

8 In another Kik chat, he referenced "sniffing" one of
9 his ex-girlfriend's daughters when she was 8 years old. He
10 targeted these girls. He targeted their mothers. He lived
11 with them and exploited them in their own homes where they're
12 supposed to feel the safest.

13 Now, the government's sentencing memorandum also lays
14 out extensive evidence of the defendant's fantasies, which
15 included rape and having sex with the corpses of teen girls.
16 But it's all not just fantasy. The defendant took very real
17 actions to live some of his fantasies out. He installed
18 hidden cameras in the bathroom to watch Victim A naked. He
19 masturbated all over Victim A's belongings, including her
20 cheerleading outfit and her retainer. He invited strange men
21 over to do the same. He took many, many what he called creep
22 shots of Victim A and other children's groins and buttocks,
23 and he sent those creep shots to many, many men over
24 Kik Messenger.

25 Turning to Victim C, Sean McCarthy's 14-year-old

1 stepdaughter. He followed her in person. He harassed her
2 over text message even after she blocked him. He harassed her
3 again using a different number. And he took substantial steps
4 to date Individual C, the mother of Minor G, whom he discussed
5 at length wanting to drug and rape, both of them. He
6 continued even after Individual C told him to stop, called
7 security when he would come and told him that he was creeping
8 her out. None of this is an anomaly for the defendant. This
9 was his lifestyle.

10 Now, I would like to spend a moment talking about
11 Dr. Brenzinger's report, the evaluation that the defense has
12 submitted. And this is both under his history and
13 characteristics and a discussion of specific deterrence in
14 this case.

15 The defense relies heavily on this report which
16 concludes that he is a low-to-moderate risk potential of
17 sexually victimizing others. But this evaluation relies at
18 least in part on the defendant's statements, some of which
19 were demonstratively false.

20 Lie No. 1, the defendant stated repeatedly and
21 vehemently he denied ever having made physical contact with
22 the victims. That's on page 9 of the report. Now, the
23 government provided several disks of videos in preparation for
24 this sentencing, including Exhibit Disk 1 which contains the
25 four videos described in the stipulated offense of the plea

1 involving Victim B. And on that disk, the defendant visibly
2 fondles Victim B's vagina and buttocks. There is clear
3 physical contact. He lied to the evaluator about never having
4 contact with a child. The evaluator credited that lie. Now,
5 six months later, the defendant had to admit to sexual contact
6 with Victim B in the plea agreement. It's on page 6. But the
7 evaluation and its results are tainted by the defendant's
8 lies.

9 Lie No. 2, the defendant told the evaluator that he
10 never used a phone or the Internet to solicit a minor for sex.
11 That's on page 11 of the report. Government's version
12 Exhibit G is a Kik chat between the defendant and Sean
13 McCarthy. The defendant screenshots his attempts to
14 communicate with McCarthy's stepdaughter, Victim C, via text
15 message. He relays that he asked Victim C, quote, if she
16 wants to make a quick 60 bucks. She blocked his number.

17 It's clear from the context of the defendant and
18 McCarthy's conversation and many other conversations that they
19 had about Victim C, including rape fantasies and the video
20 that the defendant made of himself masturbating on Victim C,
21 that this is in a sexual context. He was soliciting Victim C
22 for sex using a phone. He lied to the evaluator about that
23 conduct as well. When the defendant provides false
24 information to the evaluator who is creating the report, the
25 result of that evaluation is tainted.

1 I also want to highlight here in this report as well
2 as in other contexts the defendant's serious minimization of
3 his conduct. Pages 6 through 7 of the report, he claimed no
4 one was hurt by what happened. He slipped one time. He made
5 a mistake. He doesn't know how the sexual things happened,
6 and he felt victimized by the charges against him in this
7 case.

8 On the concept that no one was hurt, I would point
9 the Court to Individual A's oral statement, the other victim
10 impact statements of the few parents who gathered the strength
11 to write them. To read the statements of the children and the
12 hundreds and hundreds of images and videos that were in the
13 defendant's possessions, they're describing their rape and
14 their pain. And if what he's referring to is the fact that
15 the children he masturbated on and molested were often asleep,
16 he's missing the point.

17 The idea that he slipped one time, again, Your Honor,
18 the record proves that is not the case. This is the
19 defendant's lifestyle. This is who he is. And the idea that
20 he felt victimized by the charges, the only victims are the
21 innocent children whose videos and images of sexual
22 exploitation he created, he distributed, and he possessed.

23 Also in this report and elsewhere in his sentencing
24 submissions, the defendant put a lot of blame on alcohol.
25 This was addressed in the government's sentencing filing, so I

1 won't go much further here except to say alcohol cannot be
2 blamed for this lifestyle of abuse and exploitation that the
3 defendant lived. This wasn't "I got intoxicated one or two
4 times and made a mistake." It's clear from the extensive
5 record before the Court this was who the defendant was.

6 Now, a few other points I would like to address from
7 the defendant's sentencing memorandum.

8 First, that there's no evidence he did this before.
9 Now, as already discussed in the sentencing filings and
10 earlier in my presentation, there is an evidence of history of
11 this kind of behavior, including, quote, sniffing an 8 year
12 old and his discussion with the undercover officer about only
13 dating women with beautiful girls.

14 The defendant also stated that he fully accepted
15 responsibility for his actions the moment he was interviewed
16 by the FBI, but he did not. The government's version,
17 Exhibit C, is the full report of the defendant's initial
18 interview. He admitted to creep shots of Victim A, a
19 preference for teen girls and having a spy cam app on his
20 phone. He denied having any hidden cameras in the house,
21 using Kik Messenger at all, which was how he sent and received
22 his videos and images of child pornography, and having any
23 images or albums of Victim B. The defendant minimized then as
24 he has continued to do.

25 Now, the defense argues that the guidelines as

1 appropriately calculated overstate the seriousness of the
2 offense and that many of the enhancements he's received are
3 applicable to all offenders, but they're not. Taking just one
4 example, the stipulated offense involving the production of
5 the videos of Victim B, not one of the enhancements that the
6 defendant received would apply to all production cases. In
7 fact, several of them didn't even apply to Count One, which is
8 the other production count that he pled guilty to. He
9 received enhancements for the offense involving a minor under
10 16, sexual contact during the video, which he did not receive
11 for Count One; distribution of the video, which he did not
12 receive for Count One; and for Victim B being in his care,
13 custody or supervisory control. All of this, which is
14 individual to the defendant and his conduct, already gets him
15 to the offense level of 40. Add grouping, acceptance and the
16 4B1.5 enhancement, and we're back at life, or 50 years.

17 Same with the possession guidelines, which is more of
18 the defendant's focus. Of course not all images and videos
19 depicting child pornography include sadomasochistic conduct or
20 children under the age of 12. And the 600 images or more
21 enhancement is appropriate and very much link to the
22 guidelines' need to reflect the seriousness of the offense,
23 for the sentence to promote just punishment. 600, or in this
24 case over 1300, images and videos; it's not just a number.
25 There are real children on the other side of those lenses,

1 kids that were raped on camera and whose assault was
2 distributed to and from men like the defendant. Each photo is
3 traumatic. Each video matters. The guidelines contemplate
4 all kinds of production and offenses, and here the guidelines
5 are an appropriate calculation. It is a high range, but it's
6 based on his conduct.

7 Now, on the argument that the application of both
8 2G2.2(b)(5) and 4B1.5(b)(1) constitute double counting, of
9 course the defendant doesn't appear to dispute the case law
10 stating clearly that it's not. The Court in *Dowell*, which is
11 the Fourth Circuit case cited in the government's sentencing
12 memorandum, explained why these two could apply, because the
13 enhancements have two separate goals: one, to punish the
14 offense-specific conduct; and the other, to protect the
15 public.

16 But even if the defendant hadn't pled to the
17 possession count, and therefore 2G2.2 wouldn't have even
18 applied, and instead only pled to Count One and stipulated to
19 the Victim B videos, his guidelines would remain the same.
20 The stipulated offense alone had a total offense level of 40
21 plus at least one point for grouping, then plus five for
22 4B1.5, minus three for acceptance, it would still have the
23 defendant at his range of 50 years.

24 The defendant also argues that many courts have given
25 below-guideline sentences to offenders convicted of child

1 pornography offenses, and his filing lists I believe five
2 specific examples of that. Not a single one of those cases
3 involve production. They were all possession cases. Here
4 it's possession and production. These are two important
5 separate offenses to keep in mind.

6 Your Honor, I won't belabor what's been laid out
7 extensively in the government's filings and the government's
8 version of the offense. These are real victims. They were
9 affected. They continue to be affected, some of whom knew and
10 trusted this person and others of whom will never meet him.

11 For all these reasons, the government requests a
12 within guideline sentence of 50 years' imprisonment.

13 THE COURT: All right. Thank you, Ms. Greening.

14 Mr. Brandstrader.

15 MR. BRANDSTRADER: Thank you, Judge.

16 Your Honor, on behalf of Mr. Sprenger, if I could
17 address the evaluation as characterized by government.

18 The evaluation, as I understand it, was not based
19 solely on an interview with Mr. Sprenger. The doctor had the
20 affidavit for complaint for search warrant which was
21 extensive, laid out the crimes that they believe to have been
22 committed. They also had the indictment. And if the Court
23 reads the evaluation, it does not scream, I'm trying to hide
24 something here, I'm trying to minimize something here. My
25 client freely interacted with the doctor to discuss the

1 problems that have manifested himself in his life in the last
2 few years.

3 The Court is in a very difficult position, to
4 determine who Mr. Sprenger is. Is he the dangerous pedophile
5 that the government makes him out to be, or is he the
6 individual reflected in the 12 letters submitted to this
7 Court, each one knowing exactly what Mr. Sprenger was standing
8 here for but at the same time lauding his generosity, his
9 ability to help others and expressing and exhibiting strong
10 family support?

11 Heartbreaking is the father's letter that they knew
12 nothing about the childhood abuse suffered by Mr. Sprenger.
13 True in his life he had suffered with depression. He was
14 medicated early, I think in fifth grade, for anxiety, for
15 depressed moods. He admitted to the doctor that he once
16 attempted to take his life.

17 There were problems. There were underlying urges
18 that manifested themselves in the years after 2015. He was in
19 his thirties. And it is only now that, as the evaluation
20 points out, he is susceptible to treatment to address these
21 urges, these behaviors. He stands before you almost 40 years
22 old with no relevant criminal history. The letters show the
23 support that he receives from his family, also showing the
24 heartbreak that his behavior has caused that family which he
25 freely acknowledges. He was cooperative. We believe he was

1 cooperative upon arrest. He accepted responsibility. He pled
2 guilty. He precluded the necessity of having a public trial.
3 He has been in custody since the day of his arrest. He -- and
4 I failed to enter these into my memo, but he has received
5 certain documents about life changes, courses that he took in
6 Kankakee. He was also a monitor on the tier that he had
7 worked so hard to behave and to follow the rules, that they
8 made him a monitor of the tier. He attended AA while in
9 custody, ran meetings himself, understands that alcoholism,
10 use of alcohol cannot be used as any type of a defense, but it
11 certainly adds to a factor that the Court should consider when
12 determining who Adam Sprenger is.

13 I believe what the evaluation also shows and I
14 believe now that we know what the history of what Mr. Sprenger
15 is that this abhorrent behavior has been a slow evolution of
16 reckless conduct fueled by alcohol, fueled by drugs and fueled
17 by walking in the dark as he has the last few years and doing
18 these outrageous things to people who loved him.

19 Throwing his life away with a 50-year sentence makes
20 no sense. It's not what the sentencing scheme calls for.
21 Yes, he must pay a penalty for his behavior, but at the same
22 time, we can't throw the human being away. He has never had
23 the treatment that he so greatly deserves. We will be
24 requesting placement in the appropriate facility upon the
25 disposition of sentence. We ask this Court to invoke its

1 great powers of mercy and leniency to understand the victim as
2 a whole. Candidly, the criminal justice is really not the
3 place to address these types of problems and these behavioral
4 issues, but when it includes so many victims, it's the only
5 place sometimes that these issues can be addressed.

6 We believe, and we say it respectfully, that the
7 mandatory minimum involved in this case of 15 years is more
8 than enough, more than sufficient to meet the guidelines set
9 out and that this Court must follow.

10 The evaluation indicates that he's a low-to-moderate
11 risk that's susceptible to treatment for the many issues that
12 he addresses. We hope that where he goes he'll get it, but we
13 ask this Court not to throw away his life. He has a potential
14 for rehabilitation once these issues are addressed. Obviously
15 he'll probably be under some kind of guidance for the rest of
16 his life. That also should be taken into consideration when
17 rendering sentence.

18 And, again, respectfully, Judge, we ask the Court to
19 find that the 15-year minimum sentence is appropriate and
20 sufficient and meets all the needs as set out by the
21 guidelines and the statutes.

22 Thank you.

23 THE COURT: Thank you, Mr. Brandstrader.

24 Mr. Sprenger, this is your opportunity to address the
25 Court if you wish to do so.

1 THE DEFENDANT: Your Honor, first I would like to
2 apologize to the Court and everyone involved in the
3 investigation for having to view the disgusting and obscene
4 material found in my possession. No one should ever be
5 exposed to this material no matter what their profession.

6 Also, I need to apologize to my friends and family
7 for letting them down with my embarrassing and damaging
8 conduct. This was not how I was raised nor was the type of
9 behavior expected of me.

10 Secondly, I need to apologize to all the victims in
11 the images and videos that I possessed. In my own
12 selfishness, I did not realize that I was, in fact, continuing
13 their abuse. As a victim of sexual abuse myself, I cannot
14 begin to imagine how it could possibly feel to have a record
15 of it available for everyone to see. For my part in their
16 continued victimization, I am truly sorry.

17 Most importantly, I apologize to the families and to
18 the people I used for my humiliating and disturbing behavior.
19 My alcoholism, coupled with my undiagnosed disorders, resulted
20 in unforgiveable and malevolent conduct. These people opened
21 their hearts and homes to me, and in return, I took their
22 trust and completely destroyed it. I will forever be sorry
23 for ruining such a precious and invaluable gift, and I hope
24 that my abuse does not impede their happiness going forward.
25 My commitment has been and will remain to be focused on my own

1 rehabilitation so that no one in my life will ever have to go
2 through a nightmare like this again.

3 Thank you, Your Honor.

4 THE COURT: Thank you, Mr. Sprenger.

5 Under Title 18 of the United States Code,
6 Section 3553(a), the Court is required to impose a sentence
7 that is sufficient but not greater than necessary to serve the
8 purposes that are set forth in that statute. Those purposes
9 include the need for the sentence imposed to reflect the
10 seriousness of the offense, to promote respect for the law and
11 to provide just punishment for the offense, to afford adequate
12 deterrence to criminal conduct, to protect the public from
13 further crimes of the defendant and to provide the defendant
14 with needed educational or vocational training, medical care
15 or other correctional treatment in the most effective manner.
16 These four objectives align with the four generally recognized
17 objectives of criminal sentencing: retribution, deterrence,
18 incapacitation, and rehabilitation. And federal courts are
19 required to fashion sentences that will, to the greatest
20 extent possible, achieve these purposes to the extent they are
21 applicable in a given case.

22 To do that, the Court is required to consider the
23 nature and circumstances of the offense and the history and
24 characteristics of the defendant. The Court must also
25 consider other factors, such as the kinds of sentences

1 available and the advisory sentencing guideline range, as well
2 as the policy statements that inform the application of the
3 sentencing guidelines. The Court is required to consider the
4 need to avoid unwarranted sentencing disparities among
5 defendants who have been convicted of similar crimes and have
6 similar backgrounds.

7 Many of the considerations and facts that bear on
8 these issues overlap in that they are relevant to more than
9 one objective. Sometimes facts point in different directions
10 in terms of what they suggest that the appropriate sentence in
11 the case must be. It is the Court's task to balance all of
12 these considerations in fashioning the sentence that best
13 promotes the sentencing objectives as they are relevant in
14 this case.

15 I'm going to discuss the factors that I consider most
16 material to the question of the appropriate sentence to impose
17 in this case. And starting with the nature and circumstances
18 of the crimes committed by Mr. Sprenger, we have to, of
19 course, start with the seriousness of the offense. One of the
20 two counts of conviction in this case involves the production
21 of child pornography. The other offense of conviction, the
22 downloading and possession and distribution of child
23 pornography, that obviously, it really goes without saying, is
24 one of the most serious crimes that we recognize as a society.
25 It violates, these crimes violate any accepted norm of

1 civilized behavior and victimize the people in our society who
2 are the most vulnerable, those who cannot look out for
3 themselves. I speak obviously of children, and this crime
4 victimized children.

5 Any form of child pornography is, therefore, a
6 serious offense, but as the government cataloged very
7 effectively, this is a case where there are innumerable
8 aggravating factors that make this not just a case of garden
9 variety child pornography, God forbid that we ever describe
10 child pornography in that manner, but there are many
11 aggravating factors here that enhance the seriousness of this
12 offense. And of course in that regard, it's hard to imagine
13 anything more aggravating than the betrayal of trust that is
14 evident in the commission of these crimes. The victimization
15 of members of Mr. Sprenger's own household, the people who he
16 professed to love and care for more than any other people in
17 this world, and yet those are the victims of this crime.

18 He betrayed the trust, of course, of young children
19 who believed in him, trusted him, who were supposed to be
20 learning from him for whom he should have been a mentor.

21 He also betrayed -- as Individual A said very
22 eloquently in her comments to the Court today, he also
23 betrayed her and all those who were close to their family.
24 "Gained my trust. He manipulated my love." There could be no
25 quarrel with that assessment.

1 And of course it gets worse because we have the
2 victimization not only of two of the children living in his
3 own household and his partner, but he didn't stop there. He
4 victimized directly through his personal conduct in their
5 presence at least four other minors who were also known -- two
6 of whom at least were also members of his family, not his
7 household, but his family.

8 But there's more. In addition to the victimization,
9 the direct personal victimization of these children,
10 Mr. Sprenger perpetuated the victimization of hundreds of
11 additional minors, about 1300 additional minors who had been
12 victimized by sexual abuse in the past in the attendant
13 creation of videos and pictures of that abuse. And it is hard
14 to overstate the disturbing nature of those videos which --
15 unfortunately some of which I have had to review in order to
16 fully assess this conduct. And as the victims universally
17 reflect, it's hard to undo or set aside those kinds of images.

18 There's more, because this isn't just a crime that
19 involves the creation of child pornography; this is a crime
20 that involves sexual abuse. I think the government is
21 absolutely right about that. It involves unwanted, uninvited,
22 unlawful physical contact between Mr. Sprenger and at least
23 one of the six children he victimized directly that we know
24 of.

25 It's also incredibly disturbing, when one views some

1 of this material, to come to the understanding of how brazen
2 this conduct was, how close this conduct came to being
3 discovered and adverted to by the victims. And it is either
4 in some cases incredibly fortunate that the victim didn't turn
5 around at the wrong moment or didn't wake up at the wrong
6 moment, which brings me to yet another aggravating factor.
7 And it's hard to rank these aggravating factors, but this
8 certainly would be near the top of the list.

9 The government submits, and I conclude, that the
10 evidence does support a finding that the defendant
11 administered on at least some occasions some sort of drug to
12 the children he was victimizing. That conclusion is based,
13 first and foremost, on the defendant's own admissions and
14 statements repeatedly saying that he did so. As the
15 government's submission points out, it is also -- that claim
16 does not appear to be mere bravado, some kind of twisted
17 bravado. It appears to be consistent with reality because it
18 was consistent with his ability to fondle these children while
19 they slept.

20 I will note also that despite the -- there is no
21 countervailing evidence. There is no protest on the tape
22 recordings, the video recordings, the text messages from those
23 he was communicating with that suggested that that wasn't
24 happening. And I'm unaware in any of the statements the
25 defendant has made that he has ever denied the allegation. I

1 left out the fact that there's also video evidence that when
2 this discussion is going on, the defendant was mixing up a
3 crushed white powder into some sort of liquid drink. So the
4 visual evidence, the repeated statements and the consistency
5 with the ability to actually carry out some of this criminal
6 conduct all suggests to me by a preponderance of the evidence
7 that Mr. Sprenger did exactly what he said he did in drugging
8 or administering sleepy time substances at least on occasion.

9 I could go on. We could talk about the hidden
10 cameras in the bathroom. We could talk about the invitations
11 to other men. Not content to commit these crimes by himself,
12 the defendant invited other men to participate with him. We
13 could talk about the behavior of targeting young girls.
14 Beyond the "I only date women who have beautiful girls"
15 comments, we see a direct case of this in the stalking and
16 pursuit of Victim C by Mr. Sprenger. So this is a highly
17 aggravated case of both production and possession of child
18 pornography.

19 Factors that mitigate the seriousness of these
20 offenses? I suppose we, the victims can count their blessings
21 that Mr. Sprenger didn't go further, but I don't find that as
22 a mitigating factor in the seriousness of the offense. It
23 doesn't reduce the seriousness of the offense. The offense is
24 incredibly serious, even as carried out by Mr. Sprenger.

25 I have to consider Mr. Sprenger's history and

1 characteristics, and I do consider -- and this is where there
2 are factors that are appropriately considered in terms of
3 mitigation.

4 Mr. Sprenger has no significant criminal history, and
5 that does count in his favor, though given the indicia that
6 this kind of conduct took place over an extended period of
7 time, as evidenced by factors such as the size of the
8 collection of pornography, his comments about conduct from
9 several years past, the length of time over which just the
10 conduct that's outlined in the plea agreement takes place,
11 it's clear that this was not a momentary -- these crimes were
12 not the product of momentary lapses of good judgment or
13 episodic bouts of drunkenness or other substance abuse.

14 It's clear that Mr. Sprenger does have some
15 significant and substantial mental health issues, and I have
16 no difficulty concluding that those mental health issues
17 undoubtedly are part of the story here in terms of why
18 Mr. Sprenger has engaged in this abhorrent conduct.

19 The fact that Mr. Sprenger is a victim himself is
20 part of that equation, and I think it's -- I think I'm on
21 fairly solid ground in recognizing that there's likely a
22 greater incidence of this kind of criminal activity by those
23 who have themselves been abused. But I don't find that to
24 be -- to excuse the conduct certainly, and it points out in
25 some respects, you know, the flip side of that equation is

1 while it might help us explain some of Mr. Sprenger's conduct,
2 it also is at this point part of who Mr. Sprenger is. And
3 part of what the Court is required to consider, as I've
4 already noted, is the protection of the public. And for
5 whatever reasons, Mr. Sprenger developed, through a
6 combination of his choices, his genetics, his experiences, he
7 developed into the individual that we see depicted in this
8 case. And that's the Adam Sprenger that we have to address
9 here in court today, and that is an Adam Sprenger who presents
10 a very real and significant risk to the safety of children and
11 the public in general.

12 The psychosexual assessment that the defense
13 submitted I agree generally doesn't read like an apology for
14 Mr. Sprenger's conduct, and clearly he was forthcoming in
15 large measure about his conduct. But I also agree with the
16 government that the picture that is described and on which a
17 low-to-moderate threat assessment is based is not a complete
18 picture. And as presented in the report, it is -- it does not
19 begin to reflect the heinous nature of the conduct that
20 Mr. Sprenger engaged in. And most particularly, it does
21 not -- while at some points, it -- at least one point it
22 expressly acknowledges that there was some contact, it
23 nevertheless assesses Mr. Sprenger based on an apparent belief
24 that this is not a sexual -- this crime and his conduct does
25 not involve sexual assault. And as I've already indicated, I

1 disagree with that conclusion. Mr. Sprenger's conduct
2 reflects that he represents a very real danger.

3 I also take note of the fact, and consistent with the
4 lack of criminal history, while this is a part of who
5 Mr. Sprenger is, it's certainly not the entirety of who
6 Mr. Sprenger is. And we can see that, and that is very
7 effectively communicated by the letters his family and friends
8 have provided for him. This is not an individual who
9 possesses no redeeming qualities. Apart from this criminal
10 conduct, he has lived a life that has been largely law
11 abiding. He has enjoyed stable family relationships. He has
12 shown himself and been recognized to be capable of maintaining
13 loving relationships. And as we've noted, he's also shown
14 himself capable of manipulating those relationships.

15 He's been able to support himself, live productively
16 in society, but yet has never maintained long-term, stable
17 employment; by "long-term," I mean spanning many years. He's
18 certainly not moved from job to job every few months, but
19 there are a very large number of jobs which, to his credit,
20 he's able to secure. But the number of job changes and the
21 lack of stability in his employment and career development
22 also I think reflects some of the issues and problems that
23 Mr. Sprenger struggled with.

24 We have to take into account Mr. Sprenger's age,
25 though here that is not nearly as significant a factor as it

1 might be in some other cases because Mr. Sprenger is not and
2 will not be at an age where physiology is likely to mitigate
3 the risk that he poses for recidivating for this kind of
4 criminal activity.

5 Again contributing to, you know, this mixed bag of
6 who Adam Sprenger is is his postarrest conduct, and there are
7 a number of noteworthy aspects to that, as Mr. Brandstrader
8 points out.

9 It does appear from his involvement in AA and his
10 work as a trustee at the jail that Mr. Sprenger is, at least
11 for the present, highly motivated. And as his own comments
12 reflect -- and I credit his present intention to do everything
13 in his power to rehabilitate himself so that he will not
14 present these kind of threats in the future. But the fact of
15 the matter is today he presents that threat, and the Court has
16 to take that into account because the Court is required to
17 impose a sentence that will protect the public, that will
18 reflect the seriousness of the offense and will promote
19 respect for the law, as well as speak to Mr. Sprenger in terms
20 of deterring him from ever repeating this kind of conduct.
21 And the sentence must also speak to others.

22 There are two kinds of deterrence. There's specific
23 deterrence, which is what I just spoke of, sending a message
24 to Mr. Sprenger. But there's another kind of deterrence that
25 is particularly important in a case like this, where we're

1 talking about the protection of the most vulnerable members of
2 our society, and that's the message to those who may be
3 struggling with the same kind of demons that Mr. Sprenger has
4 struggled with. They need to hear the message loud and clear
5 that we will protect those vulnerable members of society.
6 They need to understand -- you know, Mr. Sprenger's comments I
7 think are revealing that he said, you know, he didn't fully
8 understand and appreciate what he was doing and how he was
9 victimizing people when he was doing this, and I believe that.
10 And that's why we have to do everything in our power to make
11 sure that others get the message.

12 You know, we live in a society where the rule of law
13 is what educates our citizenry about the conduct that is
14 tolerated and the kind of conduct that is not tolerated. And
15 the sentence imposed in this case has to send a very strong
16 message that this kind of conduct is intolerable, that it
17 ranks among the most abhorrent kinds of conduct and that it
18 will be treated as such.

19 As I indicated, I'm required to consider unwarranted
20 sentencing disparities and to try to avoid unwarranted
21 sentencing disparities. In that regard I note that the
22 sentencing guidelines are the best tool available to try to
23 reduce sentencing disparities; and as explained by the
24 Supreme Court, district courts must treat the guidelines as
25 the starting point and the initial benchmark in considering

1 whether a proposed sentence satisfies the requirements of
2 Section 3553(a).

3 I'm required to take into account the kinds of
4 sentences available. In this regard I note that Count One is
5 a Class B felony, which carries a maximum sentence of 30 years
6 and a minimum sentence of 15 years; Count Four, the second
7 count of conviction, is a Class C felony, which carries a
8 maximum sentence of 20 years. So the maximum sentence that
9 could be imposed in this case is 50 years, which is the
10 guideline sentence.

11 It also bears noting that while the Court is required
12 to consider the need for vocational training, medical
13 treatment and things that will address issues and prepare
14 defendants for the ability to function productively and
15 lawfully in society, Section 3582 of Title 18 bars
16 consideration of the need to promote correction and
17 rehabilitation in connection with the imposition of a term of
18 imprisonment.

19 The Court also needs to consider restitution as it
20 bears on the sentence. And in that regard, the government has
21 submitted a proposed restitution list of victims drawn by
22 victims that include the Victims A through F that are
23 identified specifically and personally in this case, along
24 with a number of other victims whose identities are known that
25 appear in the child pornography possessed by the defendant.

1 And the government has proposed a restitution order for those
2 identified victims that totals \$86,000.

3 Mr. Brandstrader, what is the defendant's position
4 with respect to the government's restitution amount and
5 itemization?

6 MR. BRANDSTRADER: Judge, we're going to object for
7 the record. Let me leave it at that. We'll object to the
8 restitution order for the record.

9 THE COURT: All right.

10 And finally, with respect to this category of what
11 kinds of sentences are available, I also note that in the plea
12 agreement in this case, Mr. Sprenger agreed to the entry of a
13 preliminary order of forfeiture that requires the forfeiture
14 of various items of electronic equipment, computers that are
15 involved in the commission of this offense.

16 All right. Mr. Brandstrader, are there any other
17 factors in mitigation that you neglected to discuss that you
18 would like to raise at this juncture or that you think that I
19 have neglected to discuss adequately in my comments?

20 MR. BRANDSTRADER: No, Your Honor.

21 THE COURT: All right.

22 Anything else, Ms. Greening, from the government?

23 MS. GREENING: No, Your Honor.

24 THE COURT: All right.

25 I'm going to take about ten minutes. We'll adjourn

1 for about ten minutes. And we'll come back out, and I should
2 be prepared to impose the sentence at that time.

3 (Recess.)

4 THE COURT: All right. We'll resume.

5 The Court is prepared to impose the sentence in this
6 case.

7 On February 15th of 2019, defendant Adam Sprenger
8 entered a plea of guilty to a charge of production of child
9 pornography in violation of 18 U.S.C. 2252A(a)(5)(B) and a
10 charge of possession of child pornography in violation of
11 Title 18 -- or excuse me. I'm sorry. The production charge
12 was in violation of Section 2251A of Title 18, and the
13 possession charge is in violation of Section 2252A(a)(5)(B).

14 I have considered all of the arguments presented to
15 me by government's counsel, by defense counsel. I've
16 considered Mr. Sprenger's remarks here today. I've considered
17 the remarks of Individual A in court here today. I've
18 considered the victim impact statements that have been
19 submitted by other victims of these crimes. I have also
20 considered the letters of support that have been submitted on
21 behalf of Mr. Sprenger. I have considered the advisory
22 federal sentencing guidelines and the policy statements that
23 inform their consideration. I have taken into consideration
24 all of the factors that are set forth in Section 3553(a), and
25 I have considered the totality of the circumstances in this

1 case in fashioning the sentence for the defendant.

2 As noted, the guideline range in this case is 50
3 years of imprisonment, and the government has recommended the
4 imposition of that guideline sentence. The defense has
5 recommended that the lowest possible sentence of 15 years be
6 imposed. Neither of those sentences I believe is the
7 appropriate sentence to impose in this case.

8 I'm going to impose a term of imprisonment of 30
9 years to be followed by a term of supervised release of 20
10 years. I have already remarked about the factors relevant to
11 that determination, but I have determined that that is the
12 sentence that is sufficient but not greater than necessary to
13 promote the sentencing objectives as a whole because I think
14 that a term of 50 years is not appropriate to begin with.
15 While the offenses that Mr. Sprenger has committed in this
16 case are, as I have cataloged, abhorrent and rank among the
17 most serious offenses that we address, a sentence of 50 years
18 in this case would -- may well be a life sentence. And I'm
19 not prepared to say that Mr. Sprenger's conduct warrants
20 imprisonment for the rest of his life. To say that, I think
21 we'd have to say that Mr. Sprenger presents a combination of
22 someone who is irredeemable and who has committed crimes that
23 rank not just among the most serious but at the very top of
24 the chart. Life sentences are the sentences that we impose on
25 those who have murdered and violated, you know, the most

1 fundamental commandments that we observe as a civilization.
2 And while this is certainly up there in terms of that ranking,
3 it's not at the very top. And I therefore don't believe that
4 it is deserving of the sentence at the very top end of the
5 guideline range that could be imposed in this case.

6 The sentence that I have arrived on I think is a
7 very, very serious sentence that recognizes and respects --
8 that recognizes the seriousness of Mr. Sprenger's conduct and
9 respects the terrible toll that that conduct has taken on its
10 victims.

11 It will also, I believe, ensure the protection of the
12 public. It is adequate to ensure the protection of the
13 public. Mr. Sprenger will be in his mid 60s when he is
14 released from this sentence, at a time when age alone should
15 have mitigated to a significant degree the risk of and the
16 danger posed by Mr. Sprenger in terms of the risk of
17 recidivism. And what risk remains I think can appropriately
18 be monitored and treated during the extended period of
19 supervised release that will be long enough to take
20 Mr. Sprenger should he be fortunate enough to live into his
21 late 80s. So I think the combination of 30 years of
22 imprisonment with a 20-year term of supervised release is
23 sufficient but not greater than necessary to protect the
24 public as well.

25 It also serves the purposes of deterrence that I've

1 talked about, both directly to Mr. Sprenger and also to those
2 who, again, suffer from similar demons. Perhaps understanding
3 that this kind of serious sentence will be imposed may help
4 some other child somewhere by giving somebody else pause to
5 think about -- more carefully about what they're doing.

6 Even if it doesn't, I think this is a sentence that
7 speaks to us as a community and as a nation and reminds us all
8 that we will and must protect the vulnerable, most vulnerable
9 among us, our children. And perhaps the message will be heard
10 not only in the context of protecting them from sexual
11 predators like Mr. Sprenger but from other kinds of predators
12 that we're also battling in today's world.

13 I'm going to impose in full the government's proposed
14 restitution amount of \$86,000 on the schedule that the
15 government has proposed. I find the government's rationale to
16 be appropriate in assessing and distinguishing among groups
17 and individual victims. And in the absence of any articulated
18 specific objection to the calculation, I find that it is a
19 reasonable calculation of the amount of restitution that
20 should be paid in this case to the victims, and it is also an
21 amount that there is some hope that the victims may actually
22 see some day.

23 In addition to the restitution amount, I'm required
24 to impose a special assessment of \$100 on each count of
25 conviction.

1 I am not imposing the enhanced special assessment
2 because I think it unlikely that Mr. Sprenger is going to have
3 the financial resources to pay that in addition to the
4 restitution owed, and I want whatever financial resources are
5 available to go to restitution.

6 All right. With respect to the terms and conditions
7 of supervised release, Mr. Brandstrader, I don't believe that
8 the defense objected to any of the proposed conditions?

9 MR. BRANDSTRADER: No, Judge. We discussed them with
10 Mr. Sprenger, and we're not lodging any objection to the ones
11 set out in the probation report.

12 THE COURT: All right. Understanding that, the
13 Seventh Circuit has recognized that a defendant who has had
14 the opportunity to review proposed terms and conditions of
15 supervised release in advance of a sentencing hearing and had
16 the opportunity to object may waive the review and individual
17 recitation of those conditions at the sentencing hearing if he
18 wishes to do so. Do you wish to waive that process, or I can
19 go through the individual conditions?

20 MR. BRANDSTRADER: We'll waive, Judge.

21 THE COURT: All right.

22 No fine will be imposed, again, for the reasons that
23 any financial resources that Mr. Sprenger has available should
24 go to paying restitution to the victims of his crimes.

25 Going back to the term of imprisonment for a moment,

1 that term of 30 years will be imposed on Count One. A term of
2 20 years will be imposed on Count Four, those terms to be run
3 concurrently.

4 All right. Mr. Sprenger, you have the right to
5 appeal the sentence and judgment entered in this case. Any
6 appeal that is taken must be filed by filing a notice of
7 appeal in this district court within 14 days of the entry of
8 this judgment. The judgment will likely be entered on the
9 Court's docket tomorrow which will start that 14-day clock
10 ticking.

11 Mr. Brandstrader, is the defense seeking any
12 recommendations by the Court to the Bureau of Prisons with
13 respect to the sentence or --

14 MR. BRANDSTRADER: Yes, Judge. We would respectfully
15 ask the Court to recommend FCI Elkton, E-l-k-t-o-n. I believe
16 it's in Ohio. They offer sex treatment programs.

17 THE COURT: E-l-k-t-o-n?

18 MR. BRANDSTRADER: E-l-k-t-o-n.

19 THE COURT: All right. I certainly will make that
20 recommendation.

21 MR. BRANDSTRADER: Thank you.

22 THE COURT: Were there any others?

23 MR. BRANDSTRADER: Well, the other one is I would say
24 it's Devens in Massachusetts, Judge. They have the full
25 treatment program, FMC Devens, D-e-v-e-n-s.

1 THE COURT: All right.

2 Mr. Sprenger, I'm happy to make those
3 recommendations. They're certainly warranted here. You
4 should understand, however, that I do not have the authority
5 to order the Bureau of Prisons to provide any particular type
6 of treatment or to designate you to any specific facility.
7 They take recommendations by the Court seriously, but
8 ultimately it is only a recommendation.

9 Mr. Alper, anything from probation that I've
10 neglected to cover?

11 PROBATION OFFICER: No, Your Honor. Thank you.

12 THE COURT: Ms. Greening, anything else from the
13 government?

14 MS. GREENING: A few quick things, Your Honor.

15 On supervised release, for discretionary condition 6,
16 the government requests adding a few additional individuals to
17 the no contact order, including all of the victims who have
18 been listed in this case, Victim C, D, E, and F.

19 THE COURT: Yes, thank you. I had actually scribbled
20 that in in my note. I will make that change.

21 No objection, Mr. Brandstrader?

22 MR. BRANDSTRADER: No objection, Judge.

23 THE COURT: All right.

24 MS. GREENING: I don't believe the Court has
25 addressed forfeiture.

1 THE COURT: You're right. I talked about it earlier
2 but did not impose the forfeiture.

3 The Court will grant the government's request for
4 entry of the preliminary forfeiture order, the entry of which
5 was agreed to in the plea agreement between the parties. So
6 that will be entered along with the judgment order.

7 MS. GREENING: Thank you, Your Honor.

8 And the last thing is that the government moves to
9 dismiss the other counts in the indictment.

10 THE COURT: All right. On the government's motions,
11 Counts Two and Three?

12 MS. GREENING: Yes, Your Honor.

13 THE COURT: Will be dismissed.

14 One other aspect. In entering the restitution order
15 proposed by the government, the Court recognizes and
16 acknowledges and identifies each individual listed in that
17 order as a victim of this defendant's crimes.

18 All right. Anything else?

19 MS. GREENING: No. Thank you, Your Honor.

20 THE COURT: All right.

21 MR. BRANDSTRADER: Nothing, Judge.

22 THE COURT: Mr. Sprenger.

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: This sentence -- a harsher sentence could
25 have been justified. I mean it when I say that I don't

1 believe you are irredeemable. The love and support that you
2 have here from your family members is the greatest testament
3 to that. I hope that you will hold that with you and that
4 will be of some strength to you as you move forward with your
5 life. And I wish you good luck and success in battling the
6 demons that have brought us here today.

7 To the victims of the crime who are here, thank you
8 for your courage and your contributions to this process. I
9 hope that you feel justice has been done.

10 We're adjourned.

11 (Which were all the proceedings heard.)

12

13 CERTIFICATE

14 I certify that the foregoing is a correct transcript from
15 the record of proceedings in the above-entitled matter.

16 /s/*Kelly M. Fitzgerald*

January 17, 2020

17

18 Kelly M. Fitzgerald
Official Court Reporter

19 Date

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